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Attorneys for Plaintiff  
Tinisha Price

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

TINISHA PRICE,	)	Case No.: 2:19-cv-01319-EJY
	)	
Plaintiff,	)	STIPULATION AND <del>{PROPOSED}</del>
	)	ORDER FOR THE AWARD AND
vs.	)	PAYMENT OF ATTORNEY FEES
	)	AND EXPENSES PURSUANT TO
ANDREW SAUL,	)	THE EQUAL ACCESS TO JUSTICE
Commissioner of Social Security,	)	ACT, 28 U.S.C. § 2412(d) AND
	)	COSTS PURSUANT TO 28 U.S.C. §
Defendant.	)	1920
	)	
	)	

TO THE HONORABLE ELAYNA J. YOUCHAH, MAGISTRATE JUDGE  
OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Tinisha Price be awarded attorney fees and expenses in the amount of three thousand two hundred fifty dollars (\$3,250.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

1 After the Court issues an order for EAJA fees to Tinisha Price, the  
2 government will consider the matter of Tinisha Price's assignment of EAJA fees to  
3 Cyrus Safa. The retainer agreement containing the assignment is attached as  
4 exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to  
5 honor the assignment will depend on whether the fees are subject to any offset  
6 allowed under the United States Department of the Treasury's Offset Program.  
7 After the order for EAJA fees is entered, the government will determine whether  
8 they are subject to any offset.

9 Fees shall be made payable to Tinisha Price, but if the Department of the  
10 Treasury determines that Tinisha Price does not owe a federal debt, then the  
11 government shall cause the payment of fees, expenses and costs to be made  
12 directly to Law Offices of Lawrence D. Rohlifing, pursuant to the assignment  
13 executed by Tinisha Price.<sup>1</sup> Any payments made shall be delivered to Cyrus Safa.

14 This stipulation constitutes a compromise settlement of Tinisha Price's  
15 request for EAJA attorney fees, and does not constitute an admission of liability on  
16 the part of Defendant under the EAJA or otherwise. Payment of the agreed amount  
17 shall constitute a complete release from, and bar to, any and all claims that Tinisha  
18 Price and/or Cyrus Safa including Law Offices of Lawrence D. Rohlifing may have  
19 relating to EAJA attorney fees in connection with this action.

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25 <sup>1</sup> The parties do not stipulate whether counsel for the plaintiff has a cognizable lien  
26 under federal law against the recovery of EAJA fees that survives the Treasury  
Offset Program.

1 This award is without prejudice to the rights of Cyrus Safa and/or the Law  
2 Offices of Lawrence D. Rohlfing to seek Social Security Act attorney fees under  
3 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

4 DATE: May 8, 2020

Respectfully submitted,

5 LAW OFFICES OF LAWRENCE D. ROHLFING

6 /s/ *Cyrus Safa*

7 BY: \_\_\_\_\_

Cyrus Safa  
Attorney for plaintiff Tinisha Price

9 DATE: May 11, 2020

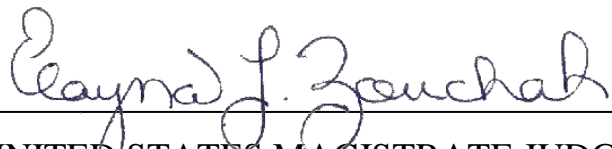
10 NICHOLAS A. TRUTANICH  
11 United States Attorney

12  
13 /s/ *Allison J. Cheung*

14 \_\_\_\_\_  
15 ALLISON J. CHEUNG  
16 Special Assistant United States Attorney  
17 Attorneys for Defendant ANDREW SAUL,  
18 Commissioner of Social Security  
(Per e-mail authorization)

19 DATED: May 12, 2020

20 IT IS SO ORDERED:

  
21 UNITED STATES MAGISTRATE JUDGE  
22 ELAYNA J. YOUCHAH  
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